

#8
5/15/02
RECEIVED
MAY 15 2002
TECH CENTER 1600/2900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William J. McBRIDE et al.
Title: RADIOMETAL-BINDING PEPTIDE
ANALOGUES
Appl. No.: 09/676,783
Filing Date: 10/02/2000
Examiner: Tahira H Bhatti
Art Unit: 1627

RESPONSE TO ELECTION OF SPECIES

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed March 27, 2002, Applicants hereby provisionally elect Group I, for examination, with traverse.

Applicants traverse the restriction among Groups I-VIII. It is improper to separate methods of use into distinct groups. No basis exists in the MPEP for such a restriction. Therefore, withdrawal of this requirement is respectfully urged.

The Action further communicates a requirement for an election of species. In response, Applicants elect the species of the peptide IMP 117 Tscg-Cys-Asp-D-Phe-Cys-Phe-D-Trp-Lys-Thr-Cys-Thr-OH MH+ 1381 as the single peptide. *Send to test*

Applicants now await an Office Action on the merits in this case. Should there be any question concerning this application, the examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date

May 1, 2002

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5569

Facsimile: (202) 672-5399

By

Stephen B. Maebius

Stephen B. Maebius

Attorney for Applicant

Registration No. 35,264